

8-23-2002

STATE AND COUNTY CLEMENCY BOARDS. INITIATIVE CONSTITUTIONAL AMENDMENT.

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SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

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February 3, 2003

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENTS (03023)

FROM:

Brianna Lierman

BRIANNA LIERMAN
ELECTIONS ANALYST

SUBJECT: FAILURE OF INITIATIVE #968

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: STATE AND COUNTY CLEMENCY BOARDS.
INITIATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY DATE: 08/23/02

PROPONENTS: Allen Jones

ELECTIONS DIVISION

1500 11TH STREET - 5TH FLOOR • SACRAMENTO, CA 95814 • (916) 657-2166 • WWW.SS.CA.GOV

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Secretary of State
State of California

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August 23, 2002

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS AND PROPONENTS
(CCROV 02251)

FROM: Brianna Lierman
BRIANNA LIERMAN
ELECTIONS ANALYST

SUBJECT: **INITIATIVE #968**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**STATE AND COUNTY CLEMENCY BOARDS.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Allen Jones
981 Shotwell Street
San Francisco, CA 94110

(415) 821-4044



#968
STATE AND COUNTY CLEMENCY BOARDS.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date:..... Friday, 08/23/02
Elections Code section (EC§) 336

3. Petitions Sections:

- a. First day Proponent can circulate Sections for
signatures (EC §336) Friday, 08/23/02

- b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) Tuesday, 01/21/03*

- c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... Friday, 01/31/03

(If the Proponent files the petition with the county on a date prior to 01/21/03,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).

- d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties Sunday, 02/09/03**
- e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e)) Monday 03/24/03

*Date adjusted for official deadline, which falls on a Holiday (EC § 15)

**Date varies based on the date of county receipt of verification.

INITIATIVE #968

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 02/09/03, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 737,898 or less than 637,275 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 637,275 and 737,898 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a))Thursday, 04/03/03*

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)).Thursday, 05/15/03

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 01/19/03, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033).....Monday, 05/19/02*

* Date varies based on receipt of county certification.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 94425
SACRAMENTO, CA 94244-2551
Public: (916) 445-9555

Facsimile: (916) 324-8835
(916) 324-5490

August 23, 2002

FILED
In the office of the Secretary of State
of the State of California

AUG 23 2002

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

BILL JONES, Secretary of State
By *Biana Herman*
Deputy Secretary of State

RE: Initiative Title and Summary
SUBJECT: STATE AND COUNTY CLEMENCY BOARDS.
INITIATIVE CONSTITUTIONAL AMENDMENT.
FILE NO: SA2002RF0016

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

Tricia Knight

TRICIA KNIGHT
Initiative Coordinator

For BILL LOCKYER
Attorney General

TK
Enclosures

Date: August 23, 2002
File No.: SA2002RF0016

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

STATE AND COUNTY CLEMENCY BOARDS. INITIATIVE CONSTITUTIONAL

AMENDMENT. Amends Constitution to repeal Governor's authority to grant clemency.

Creates state clemency board and clemency mini-boards in each county composed of five citizens randomly selected from voter rolls. Boards will have final clemency authority including the power to grant clemency or reduce sentences to remedy unjust prison treatment. Boards may also release prisoners for humanitarian reasons or to relieve prison overcrowding. Establishes elected statewide office of Administrator to receive clemency petitions, deliver prisoner requests to the mini-boards, handle financial matters, and rule on fairness of the clemency process.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would result in significant unknown costs to the state which may be offset by a potential unknown reduction in prison operation costs.

July 5, 2002

Bill Lockyer, Attorney General
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

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JUL 09 2002

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attention: Initiative Coordinator, Tricia Knight:

I am requesting a Title and Summary for the attached ballot measures.

My goal is to take the clemency process away from the governor's authority and create a new California clemency board. This board of willing registered voters of California would be randomly selected from current registered voter information. This ballot proposal is designed to give the citizens of California a stronger voice in the area of criminal justice. It will also eliminate the possibility of politicians using the criminal justice system for their own political gain.

A careful review of my initiative will show that it is also designed to save taxpayers billions of dollars in future prison cost. Reduce prison population by several thousand as well as prevent prison overcrowding permanently.

I am a United States citizen by birth and the address below is the same as my registered voter status.

Sincerely,



Allen Jones
981 Shotwell Street
San Francisco, CA 94110
(415) 821-4044

I Allen Jones, a United States citizen who resides in the State of California,
Propose the following ballot initiatives for California voters:

TEXT FOR CALIFORNIA CLEMENCY BALLOT INITIATIVES

1. Repeal the authority of the governor's power to grant clemency in the State of California.
2. Create a new clemency board with authority over the governor, the California Department of Corrections, The Board of Prison Terms and any other State of California Prison authority to handle all clemency requests. The new clemency board will have new powers as well as retain existing powers under the governor's control. At least one mini clemency board shall be established in every county in the State of California to handle considerations for clemency do to possible injustice on the part of the State, where the alleged crime was committed. Five citizens who agree to sit on a clemency board for up to one week (or longer if agreed) will be paid for their services. By random selection using current voter rolls in their county, the board members will review inmate request for clemency. While in session, they may review many request for that week's session. Private citizens, prisoner rights groups and professional in the field may also petition the board on behalf of an inmate. The citizens of the clemency board will have the power to release a prisoner, reduce his or her sentence or do nothing when the board rules that the prisoner was not unjustly treated by the prison system or judicial process. This new board will also have the power to grant clemency for humanitarian reasons. They will also have the power to release nonviolent prisoners under established guidelines when prison overcrowding is at unsafe levels.
3. Create a State elected administrator to handle the financial responsibilities of the board, ensure that prisoner request are delivered to the county level in a timely matter and make ruling on fairness or fraud in the clemency board. THE CITIZENS OF THE CALIFORNIA CLEMENCY BOARD AND NOT THE ELECTED OFFICIAL WILL HAVE THE FINAL SAY ON CLEMENCY.



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e-mail: comments@ss.ca.gov

August 21, 2002

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPOSERS (02247)

FROM: Brianna Lierman
BRIANNA LIERMAN
ELECTIONS ANALYST

SUBJECT: FAILURE OF INITIATIVE #959

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named INITIATIVE CONSTITUTIONAL AMENDMENT filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: LOCAL FUNDS AND REVENUES FOR LOCAL
GOVERNMENT SERVICES.

SUMMARY DATE: 03/11/02

PROPOSERS: Christopher K. McKenzie, Catherine A. Smith, Steven C.
Szalay

